

Appl. No. 10/825,104
Amdt. Dated May 15, 2006
Reply to Office action of April 7, 2006

REMARKS

Claims 1-7 stand rejected in this application under 35 U.S.C. 103(a) as being unpatentable over Fujisawa (US 2002/0115478) in view of Grady (US 6,591,085).

At page 2 of the office action, the Examiner properly observes that **Fujisawa is silent on:**

the mobile alerter forming the notification unit of the mobile communication device such that the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is in a tethered mode, and the mobile alerter outputs notification alerts for the mobile communication device when the mobile alerter is an un-tethered mode.

However, at page 3 of the office action, the Examiner makes reference to the modular docking unit of Grady and its ability to indicate when a mobile device is charging or ON/OFF. More specifically, the Examiner notes that Grady "further teaches the indicator to detect when it plug in (tethered mode) or remove or separate (un-tethered) away from docking unit". Accordingly, the Examiner suggests that the above-mentioned feature that is not disclosed in Fujisawa is in fact disclosed in Grady, and concludes that the Applicants' claimed invention is obvious.

We respectfully disagree. The Examiner appears to be confused between: (i) a device that is adapted to indicate whether or not a mobile device is physically connected to it; and (ii) a device that provides the mobile device's notification functionality both when the mobile device is connected to it and when the mobile device is not connected to it. Grady discloses the former, whereas the Applicant's specification discloses the latter.

For example, Grady discloses a docking unit [10] for a portable device, comprising indicators [30, 32]. If the portable device is docked in the docking unit, the indicators can show that the portable device is docked and that it is charging and/or on/off. However, the device disclosed in Grady is not capable, for example, of outputting notification alerts for the portable device when the portable device is not docked in the docking unit. The acts of charging a portable device and providing power to the portable device only occurs when the portable device is docked in the docking unit (col. 4, lines 4-9; col. 5, lines 43-49), and the indicators in Grady are reflective of the state of charge or ON/OFF of a portable device when docked. There is no suggestion that when the portable device is not docked in the docking unit (un-tethered mode), the portable device might be charged or that the docking unit might provide power to it, or that the indicators would reflect that state of charge or power in that mode.

In contrast, the mobile alerter of the present application is not concerned with providing an indication of whether a mobile device is connected to it or not. The mobile alerter provides user notification alerts for a mobile communication device (e.g. notification of an incoming call or message to the mobile communication device) not only when the mobile alerter is physically detached from the mobile communication device but also when the mobile alerter is attached to the mobile communication device.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be some reasonable expectation of success. Finally, the prior art references must teach or suggest all claimed limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation

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of success must both be found in the prior art, and not in this Applicants' disclosure.

The prior art references neither teach nor suggest all of the claimed limitations. In particular, none of the references provide a mobile alerter that forms the notification unit of the mobile communication device, where the same mobile alerter outputs notification alerts for the mobile communication device both when in the tethered mode and when in the un-tethered mode. The references also do not provide the necessary motivation to combine known elements to arrive at the claimed combination. Withdrawal of the claim rejections under 35 USC §103 is requested.

In view of the foregoing clarifications, Applicants respectfully submit that amended claims 1 and 7 define patentable subject matter, and that claims 2-6, which depend on amended claim 1, also define patentable subject matter for the same reasons.

Accordingly, Applicants respectfully submit that each of claims 1-7, which remain pending in this application are in form for allowance, and a notice to that effect is respectfully requested.

Respectfully submitted,

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